

Rosen & Kantrow, PLLC
Proposed Attorneys for Allan B. Mendelsohn, Trustee
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Fred S. Kantrow, Esq.
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UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In re:

DAVID N. COHEN,

Chapter 7
Case No.: 20-71741-ast

Debtor.

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**APPLICATION FOR RETENTION OF ROSEN & KANTROW, PLLC
AS ATTORNEYS FOR CHAPTER 7 TRUSTEE**

TO: THE HONORABLE ALAN S. TRUST
UNITED STATES BANKRUPTCY JUDGE

Allan B. Mendelsohn, the Chapter 7 Trustee (the “Trustee”) for the Estate of David N. Cohen (“Debtor”), respectfully submits this application seeking entry of an Order authorizing the Trustee’s retention of the firm of Rosen & Kantrow, PLLC (the “Firm”), as attorneys for the Trustee under Sections 105 and 327 of Title 11, United States Code (the “Bankruptcy Code”); Rule 2014 of the Federal Rules of Bankruptcy Procedure; and the Local Rules for the United States Bankruptcy Court, Eastern District of New York, and respectfully states as follows:

1. On March 19, 2020 (the “Petition Date”), the Debtor filed a voluntary petition for relief under Chapter 7 of the Bankruptcy Code.

2. Thereafter, Allan B. Mendelsohn was appointed interim chapter 7 Trustee of the Debtor’s estate and, by operation of law, became the permanent chapter 7 Trustee.

3. The Debtor is alleged to own an interest in the real property commonly known as 2046 Ridge Road, Syosset, New York (the “Real Property”), which Real Property was held by a trust for the period of September 18, 2007 up to and including October 23, 2019. On or about

October 23, 2019, only after consulting bankruptcy counsel, did the Real Property get transferred from the trust back to the Debtor and his non-filing spouse. This transfer of the Real Property appears to have been subject to then existing mortgages granted to Teachers Federal Credit Union by the trust as owner of the Real Property.

4. The Trustee must also conduct the necessary due diligence to determine whether the Real Property may be sold for the benefit of the creditors of the estate.

5. It is for these reasons that the Trustee desires to retain the Firm as his attorneys herein.

6. The Trustee selected the Firm because the attorneys in the Firm are familiar with bankruptcy practice and are well qualified to act in the capacity as attorneys for the Trustee.

7. It is necessary for the Trustee to employ attorneys to render professional services, including, but not limited to the following:

- a) Assist the Trustee in the investigation of the Debtor's estate, including any potential assets and the disposition thereof;
- b) Conduct examinations of the Debtor and other witnesses in connection with the Trustee's examination of the Debtor's financial affairs; and
- c) Advise the Trustee in connection with his statutory duties and prepare applications and motions as may be appropriate.

8. To the best of the Trustee's knowledge, and based upon the Affidavit of Fred S. Kantrow, Esq., the attorneys in the Firm have no connection with the Debtor, or any other party in interest or their respective attorneys.

9. To the best of the Trustee's knowledge, the Firm represents no interest adverse to the Trustee or to the estate in the matter in which it is to be engaged herein, and the employment of the Firm would be in the best interests of the estate.

WHEREFORE, the Trustee respectfully requests for the entry of an Order, substantially in the form of the proposed Order annexed hereto, authorizing the retention of the Firm for the Trustee, for which no previous application has previously been made.

Dated: Huntington, New York
May 4, 2020

Respectfully submitted,

/s/ Allan B. Mendelsohn

Allan B. Mendelsohn

Allan B. Mendelsohn, LLP

38 New Street

Huntington, New York 11743